

BILL NO. Z-74-11-41

ZONING MAP ORDINANCE NO. Z-Last

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. BB9

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

SECTION 1. That the area described as follows is hereby designated
a B4 district under the terms of Chapter 36, Municipal Code of the City of Fort
Wayne, Indiana, 1946, as amended by General Ordinance No. 2836 and amend-
ments thereof; and the symbols of the City of Fort Wayne Zoning Map No. BB9,
referred to therein, established by Section 9, Article III of said Chapter as
amended, are hereby changed accordingly, to-wit:

The tract of land initially described is redescribed in accordance
with the 1974 survey attached as follows:

Part of the West one-half of the Northeast Quarter of Section 34,
Township 31 North, Range 12, Allen County, Indiana
Commencing on the East line of the West one-half of said Quarter
Section at an iron pin found at the Northeast corner of Lot 25 KUHLMAN'S
ADDITION, as recorded in Plat Book 10, page 81, in the Office of the
Recorder of said County and as furthermore situated in the West line
of LILLIE PLACE ADDITION as recorded in Plat Book 4, page 10;
thence Northerly along the West line of said LILLIE PLACE ADDITION
as established, a distance of 747.0 feet to a pipe found; thence con-
tinuing Northerly on the line aforesaid by a deflection left of 0 de-
grees 21 minutes, a distance of 281.2 feet to an iron pin set on the
45 ft. South right-of-way line of U.S. Highway No. 30 and 33, also
known as the Goshen Road; thence Northwesterly on the said right-
of-way line by a deflection left of 59 degrees 28 minutes, a distance
of 15.05 feet to a pin set at a point of deflection on said right-of-way
line at PLAN STATION 167+87.5; thence continuing Northwesterly
on said 45 ft. right-of-way line by a deflection right of 1 degree 30
minutes (PLAN deflection 1 degree 57 minutes) a distance of 249.4
feet to a pin set on the East line, as established, of Lot 83 LINCOLN
PARK ADDITION as recorded in Plat Book 13, page 63; thence
Southerly on the East line of said Addition by a deflection left of 121
degrees 57 minutes, a distance of 408.75 feet; thence continuing
Southerly on the line aforesaid as established by a deflection left of
0 degrees 05 minutes, a distance of 349.8 feet to a pipe found; thence
continuing Southerly on the East line of LINCOLN PARK ADDITION
AMENDED as recorded in Plat Book 15, page 78, a distance of 409.1
feet to a pin set at the Northwest corner of Lot 24 in aforesaid KUHLMAN'S
Addition; thence Easterly along the North line of said Addition by a
deflection left of 90 degrees 05 minutes, a distance of 222.2 feet to the
point of beginning; containing 5.638 acres, more or less;

The aforesaid tract by previous description has EAST and WEST lines
parallel and 3.35 chains or 221.10 feet apart.

The tract as described appears to overrun in width as indicated
with no apparent conflict with existing corner markers found.

Less that part that is already B4 Zoned

SECTION 2. This Ordinance shall be in full force and effect from and
after its passage, approval by the Mayor and legal publication thereof.

APPROVED AS TO FORM
AND LEGALITY.

Richard B. Allen
CITY ATTORNEY

John Stuckel
Councilman

Read the first time in full and on motion by _____, seconded by
Hinga, and duly adopted, read the second time by title and referred
to the Committee on Regulations (and the City Plan
Commission for recommendation) and Public Hearing to be held after due legal notice,
at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____,
the _____ day of _____, 197_____, at _____
o'clock P.M., E.S.T.

Date: 11/26/74

Charles W. Whitburn
CITY CLERK

Read the third time in full and on motion by Brown,
seconded by Leticia Hinga, and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

	AYES <u>0</u>	NAYS <u>8</u>	ABSTAINED _____	ABSENT <u>1</u> to-wit:
BURNS	_____	<u>X</u>	_____	_____
HINGA	_____	<u>X</u>	_____	_____
KRAUS	_____	<u>X</u>	_____	_____
MOSES	_____	<u>X</u>	_____	_____
NUCKOLS	_____	_____	_____	<u>X</u>
SCHMIDT, D.	_____	<u>X</u>	_____	_____
SCHMIDT, V.	_____	<u>X</u>	_____	_____
STIER	_____	<u>X</u>	_____	_____
TALARICO	_____	<u>X</u>	_____	_____

DATE: 2-11-75

Charles W. Whitburn
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana,
as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance
(Resolution) No. _____ on the _____ day of _____, 197____.

ATTEST: (SEAL)

Charles W. Whitburn
CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____
day of _____, 197_____, at the hour of _____ o'clock
_____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 197_____,
at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 26, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-11-41; and,

WHEREAS the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 20, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 27, 1975.

Certified and signed this
28th day of January, 1975.



Charles N. Hall
Secretary

Bill No. Z-74-11-41

REPORT OF THE COMMITTEE ON REGULATIONS
Regulations

We, your Committee on _____ to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. BB9

_____ have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance DO NOT PASS.

Eugene Kraus, Jr. - Chairman

John Nuckols - Vice-Chairman

Vivian G. Schmidt

Paul M. Burns

Donald J. Schmidt

CONCURRED IN

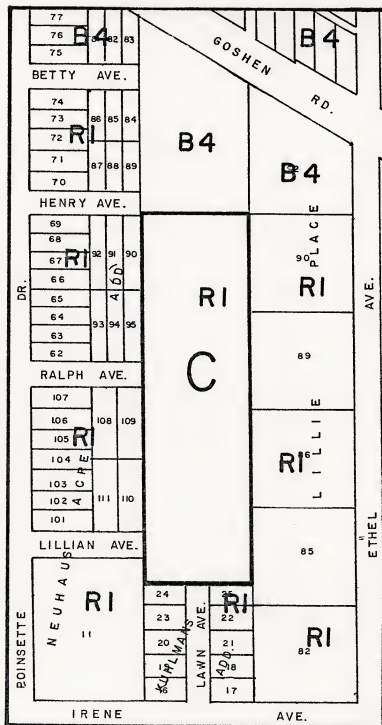
DATE 2-11-74 CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

ACCIDENT REPORT ACCOUNT

No 1958

FT. WAYNE, IND. October 17 1974RECEIVED FROM 1327 Companies \$ 50.00THE SUM OF Fifty Dollars and 00/100 ¹⁰⁰ DOLLARSON ACCOUNT OF Warrenty Bond Recording #10-20018James
Buckley Escobedo
AUTHORIZED SIGNATURE



C- CHANGE FROM RI TO B4

2-74-11-41

N

PETITION FOR ZONING ORDINANCE AMENDMENT

Receipt No. _____

TO: COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA

Date Filed _____

Intended Use SMALL BUSINESS

I/We W.E. Doetsch Sr. & W.E. Doetsch Jr.
(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne, Indiana,
by reclassifying from a/an R 1 district to a/an B 4 district the
property described as follows:

AS PER ATTACHED SHEET

(Legal Description)

WARRANTY DEED RECORDING # 74-20898
(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum
(51%) or more of the property described in this petition.

W.E. Doetsch Sr. 4817 U.S. 24 West W.E. Doetsch Sr.

W.E. Doetsch Jr. 2424 Tyler W.E. Doetsch Jr.

(Name)

(Address)

(Signature)

Legal Description Checked By: _____
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under advisement shall be filed in writing in the office of the City Plan Commission by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for that meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance.

Name and address of preparer, attorney or agent:

W.E. Doetsch Sr. P.O. Box 1053 483-8171
(Name) (Address) (Telephone Number)

CITY PLAN COMMISSION, CITY-COUNTY BUILDING, Room # 880, ONE MAIN STREET, FORT WAYNE,
INDIANA, 46802 Telephone Number: 423-7571

150 feet; thence West parallel with the North line of said Lot No. 90, 101.0 feet, to the West line of said Lot No. 90; thence North on the West line of Lot No. 90, 16 feet to the place of beginning, less all state and county rightaways and easements.

The tract of land initially described is redescribed in accordance with the 1974 survey attached as follows:

Part of the West one-half of the Northeast Quarter of Section 34, Township 31 North, Range 12, Allen County, Indiana;

Commencing on the East line of the West one-half of said Quarter Section at an iron pin found at the Northeast corner of Lot 25 KUHLMAN'S ADDITION, as recorded in Plat Book 10, page 81, in the Office of the Recorder of said County and as furthermore situated in the West line of LILLIE PLACE ADDITION as recorded in Plat Book 4, page 10; thence Northerly along the West line of said LILLIE PLACE ADDITION as established, a distance of 747.0 feet to a pipe found; thence continuing Northerly on the line aforesaid by a deflection left of 0 degrees 21 minutes, a distance of 281.2 feet to an iron pin set on the 45 ft. South right-of-way line of

(continued.....)

IN WITNESS WHEREOF, I place my hand and
seal, this 5th day of September, 1974

Carl G. Hoff

Doetsch-West Acres

SHEET No. 2

U.S. Highway No. 30 and 33, also known as the Goshen Road;
thence Northwesterly on the said right-of-way line by a deflection left of 59 degrees 28 minutes, a distance of 15.05 feet to a pin set at a point of deflection on said right-of-way line at PLAN STATION 167+87.5; thence continuing Northwesterly on said 45 ft. right-of-way line by a deflection right of 1 degree 30 minutes (PLAN deflection 1 degree 57 minutes) a distance of 249.4 feet to a pin set on the East line, as established, of Lot 83 LINCOLN PARK ADDITION as recorded in Plat Book 13, page 63; thence Southerly on the East line of said Addition by a deflection

in the Office of the Recorder of said County and as furthermore situated in the West line of LILLIE PLACE ADDITION as recorded in Plat Book 4, page 10; thence Northerly along the West line of said LILLIE PLACE ADDITION as established, a distance of 747.0 feet to a pipe found; thence continuing Northerly on the line aforesaid by a deflection left of 0 degrees 21 minutes, a distance of 281.2 feet to an iron pin set on the 45 ft. South right-of-way line of

(continued.....)

IN WITNESS WHEREOF, I place my hand and
seal, this 5th day of September, 1974

Paul G. Hoffer

Doetsch-West Acres

SHEET No. 2

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The aforesaid tract by previous descriptions has EAST and WEST lines parallel and 3.35 chains or 221.10 feet apart.

The tract as described appears to overrun in width as indicated with no apparent conflict with existing corner markers found.

LESS THAT PART THAT IS ALREADY B 4 ZONED

IN WITNESS WHEREOF, I place my hand and
seal this 5th day of September 1974.

Paul G. Hoffer

Reference

We the following are opposed to Bill No. Z-74-11-41 located in the following:

A parcel of ground, containing approximately 5 1/2 acres, more or less, and generally located approximately 340 feet south of Goshen Road, 210 feet west of Ethel Avenue, and approximately 230 feet east of Poinsette Drive.

We are opposed for the following reasons:

1. It will lower property values
2. Children live and play in the area
3. The business will encourage heavy traffic
4. Heavy commercial zoning will be detrimental to the area
5. This is a residential area and should be kept as such

Mr. Sylvester Davis
Mrs. Fanny Jordan
Samuel C. East
Roy & Angie Mayfield
Mark C. Affolder
Cindy Winkler
Mark & Mrs. Ruby
Paul Catlin Sr.
Dorothy Catlin
A. Engel
Esther Weiss
Gladys Kitzmiller
Betty J. Jarch
Janet Jensen
Lawrence J. Romano
Anne Hummel
Virginia Chirington
Carl R. Neidhardt

Ethel Avenue

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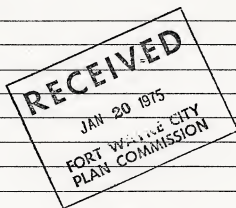
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Clayton Avenue
State Street



DIGEST SHEET

TITLE OF ORDINANCE Zoning Map Amendment Ordinance 3-74-11-41CITY PLAN COMMISSION) DEPARTMENT OF
DEPARTMENT REQUESTING ORDINANCE COMMUNITY DEVELOPMENT AND PLANNINGSYNOPSIS OF ORDINANCE Petitioners are requesting a rezoning for the
following described property:A parcel of ground, containing approximately 5 1/2 acres, more or less, andgenerally located approximately 340 feet south of Goshen Road, 210 feet west
of Ethel Avenue, and approximately 230 feet east of Poinsette Drive.from "R1" to "B4"EFFECT OF PASSAGE Property is presently zoned "R1" - One Family Residential.Petitioners are requesting an "B4" classification - Roadside Business.EFFECT OF NON-PASSAGE Property would remain "R1"MONEY INVOLVED (Direct Costs, Expenditures, Savings) noneASSIGNED TO COMMITTEE (J.N.) Regulations